

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

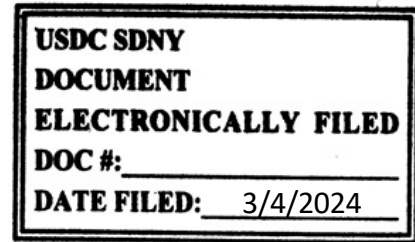
Elizabeth Valdez,

Plaintiff,

-against-

40 X Owner LLC, et al.,

Defendant.



1:23-cv-02534 (JHR) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

WHEREAS, on January 29, 2024, the parties filed a joint status letter apprising the Court on the status of discovery for the above-referenced action in accordance with the Case Management Plan and Scheduling Order (1/29/24 Ltr., ECF No. 35; *see also* Case Management Plan, ECF No. 34); and

WHEREAS, on January 30, 2024, the Court endorsed the 1/29/24 Letter and ordered the parties to (1) meet-and-confer and (2) file another joint status letter, “which shall (a) enumerate all outstanding discovery items, (b) provide an update with respect to the status of depositions, which are due by March 11, 2024, (c) provide an update with respect to expert discovery, which is due by July 1, 2024, and (d) indicate whether the parties have discussed settlement further and indicate if a settlement conference would prove useful” no later than March 1, 2024 (1/30/24 Order, ECF No. 36); and

WHEREAS, on February 29, 2024, Defendants filed a letter motion seeking leave from the Court to file an Amended Answer, with Plaintiff’s consent, in which did not include an update with respect to the status of discovery in accordance with the Court’s 1/30/24 Order (Defs.’ 2/29/24 Ltr. Motion, ECF No. 37); and

WHEREAS, on March 1, 2024, the Court granted Defendants' motion, with Plaintiff's consent, pursuant to Rule 15(a) of the Federal Rules of Civil Procedure and ordered Defendants to file the Amended Answer no later than March 8, 2024 (3/1/24 Order, ECF No. 38); and

WHEREAS, the parties did not file a joint status letter in accordance with the Court's 1/30/24 Order on March 1, 2024; and

WHEREAS, on March 4, 2024, Defendants filed their Amended Answer in accordance with the Court's 3/1/2024 Order (Am. Answer, ECF No. 39); and

WHEREAS, as of the date of this Order, the parties still have not filed a joint status letter in accordance with the Court's 1/30/24 Order.


NOW, THEREFORE, it is hereby **ORDERED**, as follows:

1. No later than March 8, 2024, the parties shall file a belated joint status letter apprising the Court on the status of discovery, which shall (a) enumerate all outstanding discovery items, (b) provide an update with respect to the status of depositions, which are due by March 11, 2024, (c) provide an update with respect to expert discovery, which is due by July 1, 2024, (d) indicate whether the parties have discussed settlement further and indicate if a settlement conference would prove useful, and (e) explain the reason(s) for the untimely filing.

2. Failure to comply with this Order may result in the imposition of sanctions.

SO ORDERED.

Dated: New York, New York
March 4, 2024



STEWART D. AARON
United States Magistrate Judge